

EXPRESS MAIL No.: EL 138 360 332 US

Deposited: April 12, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: Box PCT, Assistant Commissioner for Patents, Washington, DC 20231

/ Ruth Montalvo

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: GK-ZEI-3078

Applicant(s): Hans TANDLER, Johannes KNOBLICH and Gerhard DOERING

Serial No.: 09/463,096 (Int'l Appln. PCT/EP99/03133 filed 6MAY99)

Filed: Concurrently herewith

For: ARRANGEMENT FOR THE DIRECT CONTROL OF THE MOVEMENT OF A ZOOM SYSTEM IN A STEREO MICROSCOPE (*Anordnung zur direkten steuerung der Bewegung eines Zoomsystems in einem Stereomikroskop*)

TRANSMITTED HEREWITH IS THE FOLLOWING

- 1. Transmittal Letter to the United States Designated/Elected Office (PTO-1390);
- 2. Executed Declaration/POA;
- 3. Verified English language translation [8 pgs of Specification, 2 pgs of Claims, Abstract and Four (4) Drawings - Figs. 1 - 5];
- 4. Preliminary Amendment (Claims 12/2);
- 5. Forms PCT/DO/EO/905 dated March 31, 2000;
- 6. Check in the amount of \$ 260.00 (Declaration and Translation Surcharges).

The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 13-0025.

Respectfully submitted,

Gerald H. Kiel - Reg. No. 25,116

GHK:ram

Transmittal Letter to the United States  
Designated/Elected Office (DO/EO/US)

Attorney's Docket No.:	GK-ZEI-3078	
U.S. Application No.:	<b>09/463,096</b>	
International Application No.:	<b>PCT/EP99/03133</b>	
International Filing Date:	MAY 06, 1999	06 MAY 1999
Priority Date Claimed:	MAY 18, 1998	18 MAY 1998
Title of Invention:	<b>ARRANGEMENT FOR THE DIRECT CONTROL OF THE MOVEMENT OF A ZOOM SYSTEM IN A STEREO MICROSCOPE (Anordnung zur direkten steuerung der Bewegung eines Zoomsystems in einem Stereomikroskop)</b>	
Applicant(s) for (DO/EO/US):	Hans TANDLER, Johannes KNOBLICH and Gerhard DOERING	

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- [ ] 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- [X] 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- [ ] 3. This express request to begin national examination procedures [35 U.S.C. 371 (f)] at any time rather than delay examination until the expiration of the applicable time limit set forth in 35 U.S.C. 371(b) and PCT Articles 22 and 43.
- [ ] 4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- [ ] 5. A copy of the International Application as filed in the German language [35 U.S.C. 371(c)(2)]
  - a) \_\_ is transmitted herewith (required only if not transmitted by the International Bureau)
  - b) \_\_ has been transmitted by the International Bureau
  - c) \_\_ is not required, as the application was filed in the United States Receiving Office (RO/US)
- [X] 6. A translation of the International Application into English [35 U.S.C. 371(c)(2)]
- [ ] 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
  - a) \_\_ are transmitted herewith (required only if not transmitted by the International Bureau)
  - b) \_\_ have been transmitted by the International Bureau
  - c) \_\_ have not been made; however, the time limit for making such amendments has NOT expired.
  - d) \_\_ have not been made and will not be made
- [ ] 8. A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
- [X] 9. An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]
- [ ] 10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

**Items 11. to 16. below concern other document(s) or information included:**

- [ ] 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98
- [ ] 12. An Assignment document for recording. A separate cover sheet (PTO-1595) in compliance with 37 CFR 3.28 and 3.31 is included.
- [X] 13. X A **FIRST** preliminary amendment  
 — A **SECOND** or **SUBSEQUENT** preliminary amendment
- [ ] 14. A substitute specification
- [ ] 15. A change of power of attorney and/or address letter
- [X] 16. (other items or information) **PCT/DO/EO/905 dated March 31, 2000**

EXPRESS MAIL No.: **EL 138 360 332 US**Deposited: **April 12, 2000**

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: BOX PCT, Assistant Commissioner for Patents, Washington, DC 20231.

04/18/2000 UNWALKER 00000029 09463096  
*Ruth Montalvo*/Ruth Montalvo Date: **April 12, 2000**01 FC:154  
02 FC:156130.00 DP  
130.00 DP

					CALCULATIONS	PTO USE ONLY																				
[ ] 17. The following fees are submitted: <u>BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]</u>																										
[ ]	Search Report has been prepared by the EPO or JPO.....		\$	840.00																						
[ ]	International preliminary examination fee paid to USPTO [37 CFR 1.482].....		\$	670.00																						
[ ]	No International preliminary examination fee paid to USPTO [37 CFR 1.482] but International search fee paid to USPTO [37 CFR 1.445(a)(2)].....		\$	690.00																						
[ ]	Neither International preliminary examination fee [37 CFR 1.482] nor International search fee [37 CFR 1.445(a)(2)] paid to USPTO.....		\$	970.00																						
[ ]	International preliminary examination fee paid to USPTO [37 CFR 1.482] and all claims satisfied provisions of PCT Article 33(1)-(4).....		\$	96.00																						
<b>ENTER APPROPRIATE BASIC FEE AMOUNT:</b>					\$	0.00																				
<table border="1"> <thead> <tr> <th>Claims</th> <th>Number filed</th> <th></th> <th>Number extra</th> <th>Rate</th> </tr> </thead> <tbody> <tr> <td>Total Claims (Prel.Amt)</td> <td>12</td> <td>-20</td> <td>x \$ 18. =</td> <td></td> </tr> <tr> <td>Indep. Claims</td> <td>2</td> <td>-03</td> <td>x \$ 78. =</td> <td></td> </tr> <tr> <td colspan="4">[ ] Multiple Dependent Claim(s) (if applicable)</td> <td>+ \$260. =</td> </tr> </tbody> </table>					Claims	Number filed		Number extra	Rate	Total Claims (Prel.Amt)	12	-20	x \$ 18. =		Indep. Claims	2	-03	x \$ 78. =		[ ] Multiple Dependent Claim(s) (if applicable)				+ \$260. =		
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Total Claims (Prel.Amt)	12	-20	x \$ 18. =																							
Indep. Claims	2	-03	x \$ 78. =																							
[ ] Multiple Dependent Claim(s) (if applicable)				+ \$260. =																						
<b>TOTAL OF ABOVE CALCULATIONS:</b>					\$	0.00																				
Surcharge of \$130.00 for furnishing the oath or declaration later than [X] 20 [ ] 30 months from the earliest claimed priority date [37 CFR 1.492(e)]					\$	130.00																				
<b>TOTAL OF ABOVE CALCULATIONS:</b>					\$	130.00																				
Reduction by ½ for filing by small entity, if applicable. Verified Small Entity Statement must be filed. [Note 37 CFR 1.9, 1.27, 1.28]					\$	.00																				
<b>SUBTOTAL:</b>					\$	130.00																				
Processing fee of \$130.00 for furnishing the English Translation later than [X] 20 [ ] 30 months from the earliest claimed priority date [37 CFR 1.492(f)]					\$	130.00																				
<b>TOTAL NATIONAL FEE:</b>					\$	260.00																				
Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property +					\$	.00																				
<b>TOTAL FEE(S):</b>					\$	260.00																				
AMOUNTS TO BE REFUNDED OR CHARGED					REFUNDED CHARGED	\$ \$																				
<b>(Please note the filing fee is based on the claims in the Preliminary Amendment)</b>																										
[X]	Check in the amount of \$ 260.00 to cover the above fees is enclosed. (The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 13-0025.)																									
<b>NOTE:</b> Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.																										
<b>SEND ALL CORRESPONDENCE TO:</b>																										
Gerald H. Kiel, Esq. McAulay Nissen Goldberg Kiel & Hand, LLP 261 Madison Avenue New York, NY 10016-2391																										
Gerald H. Kiel Name (Tel. (212) 986-4090)		Signature		25,116      April 12, 2000 Reg. No.      Date																						

09/463046

113  
Gerald W  
20/08



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO. 10/463,046 FIRST NAMED APPLICANT TANDLER ATTY. DOCKET NO. TGR-YET-3073

GERALD H KIEL ESO  
MCAULAY NISSEN GOLDBERG KIEL & HAND  
261 MADISON AVENUE  
NEW YORK NY 10016-2391

561.1

INTERNATIONAL APPLICATION NO.  
PCT/EP99/03133

I.A. FILING DATE 05/06/99 PRIORITY DATE 05/18/98

DATE MAILED: 03/31/00

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:
- a Designated Office (37 CFR 1.494),
  - an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.

Copy of the international application in:  
 a non-English language.  
 English.

Translation of the international application into English.

Oath or Declaration of inventors(s) for DO/EO/US.

Copy of Article 19 amendments.

Translation of Article 19 amendments into English.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English.

Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_

Information Disclosure Statement(s) filed 18 JAN 2000 and \_\_\_\_\_

Assignment document.

Power of Attorney and/or Change of Address.

Substitute specification filed \_\_\_\_\_

Statement Claiming Small Entity Status.

Priority Document.

Copy of the International Search Report  and copies of the references cited therein.

Other: 20 101, 105

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice **MUST** be returned with this response.**

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation  
 PTO-875

FORM PCT/DO/EO/905 (December 1997)

Francine Young

National Stage Processing

Telephone: (703) Paralegal Specialist  
(703) 305-3662

01 Rec'd PCT/PTO

09/463096  
#4CBT  
12 APR 2000

### VERIFICATION OF A TRANSLATION

I, the below named translator, hereby declare that:

My name and post office address are as stated below:

That I am knowledgeable in the English language and in the language in which the below-identified international application was filed, and that I believe the English translation of the international application

PCT/EP99/03133 is a true and complete translation of the above-identified international application as filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date March 21, 2000

Full name of the translator Daniel Cooper

Signature of the translator Daniel Cooper

Post Office Address 1310 Felicity Street, New Orleans, LA 70130